



cluded from enjoying the benefits of RSA 273-A, the right to organize for representative purposes.

FINDINGS OF FACT

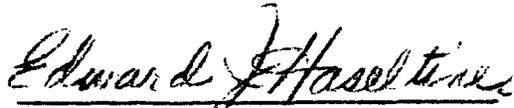
1. Chapter 273-A permits, under Section 8, II, supervisory and professional employees to be recognized provided they meet the criteria established under the statute.
2. Dr. Dubois, Superintendent, testified that the supervision and direction over the employees in the petitioned unit are extremely limited and almost negligible. It was his further testimony that their supervisory activities were in fact over individuals such as nurses, social workers, etc. who are employees of a separate bargaining unit. Further, that it was very unlikely that any of the physicians in the petitioned unit would have occasion to have supervision over other physicians in the unit.
3. Dr. Hauffman, a dentist in the proposed unit, testified that there was another dentist on the staff who worked with him and that he did not exercise any supervisory authority over said dentist as each had specific responsibilities to perform and each went about the performance of those duties without supervision.
4. The State's contention with respect to the supervisory responsibilities of some of the members of the proposed unit was clearly unconvincing.
5. The State's opinion that a conflict could develop relative to Chapter 94, "Compensation of Certain State Officers" did not prove realistic or different from other state salaries established by the legislative process.
6. RSA 273-A:1, X, clearly defines "Public employees" as any person employed by a public employer and lists exceptions under the statute. The State of New Hampshire is a public employer as defined under 273-A:1, XI, and unclassified employees are not exempted under Section X.

DECISION AND ORDER

After careful review of the oral and written evidence presented at the May hearing and in view of the legislative intent of RSA 273-A: to specifically permit individuals in a professional or supervisory capacity to organize for representation purposes,

Board rules, as follows:

- A. A unit is hereby created of multi-disciplinary medical and dental service employees of the New Hampshire Hospital which include psychiatrists, neurologists, dentists and physicians.
- B. A pre-election and election will be held within the next thirty days.

  
EDWARD J. HASELTINE  
CHAIRMAN

Signed this 31st day of July, 1980.

Chairman Haseltine and member Anderson voted in favor of the petition, Member Steele voted in opposition. Members Hilliard and Mayhew abstained. Also present, Executive Director Evelyn C. LeBrun.

STATE OF NEW HAMPSHIRE  
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

<u>PUBLIC PRACTICE PROFESSIONAL</u>	:	
<u>ASSOCIATION</u>	:	
	:	
Petitioner:	:	CASE NO. <u>M-0533</u>
	:	
and	:	DECISION NO. <u>80031</u>
	:	
STATE OF NEW HAMPSHIRE, NEW HAMPSHIRE:	:	AMENDED
HOSPITAL	:	
	:	
Employer :	:	REHEARING REQUEST

DECISION NO. 80031 CORRECTION

Decision No. 80031, dated July 31, 1980, is hereby amended to reflect statements attributed to Superintendent Clifton Dubois should have been attributed to witness, Dr. Luigi N. Dolcino at the May 8, 1980 hearing held in the Board's office. (Finding No. 2).

ORDER DENYING MOTION FOR REHEARING

The Board at its hearing held August 14, 1980, unanimously denied the rehearing request filed by Assistant Attorney General, James E. Townsend, on behalf of the State of New Hampshire, New Hampshire Hospital, and orders an election held to determine if the medical and dental services employees of the New Hampshire Hospital wish to be represented by the Public Practice Professional Association for the purpose of collective bargaining.

  
EDWARD J. HASELTINE, CHAIRMAN

By unanimous vote. Chairman Haseltine presiding, members Hilliard and Osman present and voting. Also present, Executive Director, Evelyn C. LeBrun

Signed this 26th day of August, 1980.